

CLOSED

**U.S. District Court
Eastern District of Louisiana (New Orleans)
CRIMINAL DOCKET FOR CASE #: 2:16-mj-00144-DM All Defendants
Internal Use Only**

Case title: USA v. Fulford Date Filed: 12/16/2016
Other court case number: 16-cr-551 USDC, Southern District of Texas Date Terminated: 12/16/2016

Assigned to: Magistrate Duty Magistrate

Defendant (1)

Peggy Ann Fulford
TERMINATED: 12/16/2016

represented by **Claude J. Kelly**
Federal Public Defender's Office
Hale Boggs Federal Building
500 Poydras Street
Room 318
New Orleans, LA 70130
504-589-7939
Email: claudes.kelly@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender
Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints



None

Disposition

Plaintiff**USA**

represented by **Jeffrey Ryan McLaren**
U. S. Attorney's Office (New Orleans)
650 Poydras St.
Suite 1600
New Orleans, LA 70130
504-680-3037
Email: ryan.mclaren@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant U.S. Attorney

[Email to Active Attorneys' Primary Addresses](#)[Email to All Attorneys' Primary Addresses](#)[Email to Casewide NEF Recipients](#)

Date Filed	#	Docket Text
12/16/2016	<u>1</u>	Minute Entry for proceedings held before Magistrate Judge Joseph C. Wilkinson, Jr:Initial Appearance as to Peggy Ann Fulford held on 12/16/2016. Defendant released. (Court Reporter Magistrate Clerical.) (Attachments: # <u>1</u> Papers from Southern District of Texas, # <u>2</u> Criminal Magistrate Case Sheet) (plh) (Entered: 12/19/2016)
12/16/2016	<u>2</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Peggy Ann Fulford. Claude J. Kelly for Peggy Ann Fulford appointed. Signed by Magistrate Judge Joseph C. Wilkinson, Jr on 12/16/16. (plh) (Entered: 12/19/2016)
12/16/2016	 <u>3</u>	CJA 23 Financial Affidavit by Peggy Ann Fulford (plh) (Entered: 12/19/2016)
12/16/2016		(Court only) ***Staff Notes as to Peggy Ann Fulford: 522 Montegut St., Apt. 313 New Orleans, LA 70117 (plh) (Entered: 12/19/2016)
12/16/2016	<u>4</u>	Unsecured Appearance Bond Set & Executed as to Peggy Ann Fulford in amount of \$ 25,000.00. Defendant released. (plh) (Entered: 12/19/2016)
12/16/2016	<u>5</u>	ORDER Setting Conditions of Release. Signed by Magistrate Judge Joseph C. Wilkinson, Jr on 12/16/16. (plh) (Entered: 12/19/2016)
12/16/2016	<u>6</u>	WAIVER of Rule 5 and 5.1 Hearings by Peggy Ann Fulford (plh) (Entered: 12/19/2016)
12/16/2016	<u>7</u>	ORDER OF REMOVAL to District of Texas Southern as to Peggy Ann Fulford. Signed by Magistrate Judge Joseph C. Wilkinson, Jr on 12/16/16. (plh) (Entered: 12/19/2016)

MINUTE ENTRY
DECEMBER 16, 2016
WILKINSON, M. J.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CRIMINAL ACTION

VERSUS

NO. 16-144

PEGGY ANN FULFORD

SECTION: MAG

INITIAL APPEARANCE

APPEARANCES: X DEFENDANT WITH WITHOUT COUNSEL

X ASSISTANT U.S. ATTORNEY RYAN MCLAREN

INTERPRETER

Designated by Court and sworn.

Time: _____ .M to _____ M.

X / DEFENDANT WAS ADVISED OF HER RIGHTS

X / READING OF THE INDICTMENT FROM SOUTHERN DISTRICT OF TEXAS (HOUSTON
DIVISION WAS: READ WAIVED SUMMARIZED)

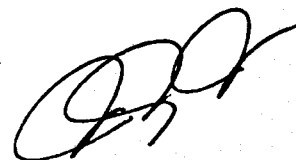
 / DEFENDANT INFORMED THE COURT THAT COUNSEL WOULD BE RETAINED

X / REQUESTED COURT-APPOINTED COUNSEL; SWORN RE FINANCIAL STATUS

X / FEDERAL PUBLIC DEFENDER APPOINTED TO REPRESENT THE DEFENDANT

 / DEFENDANT FOUND NOT TO BE LEGALLY INDIGENT

MJSTAR: 00: 38



X / BAIL SET AT \$25,000.00 unsecured appearance bond.
See attached for additional conditions of release

 / DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL

~~X~~ DEFENDANT RELEASED ON BOND

DEFENDANT INFORMED THAT PRELIMINARY HEARING/REMOVAL HEARING/

ARRAIGNMENT IS SET FOR Univer of removal hearing expected.

____/ HEARING TO DETERMINE COUNSEL IS SET FOR

/ DEFENDANT INFORMED THAT DETENTION HEARING IS SET FOR

__/ DEFENDANT ORDERED TO RE-APPEAR FOR PRELIMINARY HEARING/REMOVAL
 HEARING/ARRAIGNMENT/DETENTION HEARING/HEARING TO DETERMINE COUNSEL
 WITH COUNSEL



DEFENDANT'S NAME: PEGGY ANN FULFORD CASE NO. 16-144 MAG
ADDITIONAL CONDITIONS OF RELEASE

Third Party Custodian: _____

The defendant must:

☒ submit to supervision by and report for supervision to the US PROBATION OFFICER (USPO)

_____ continue to actively seeking employment

☒ surrender any passport to USPO

☒ not obtain a passport or other international travel document

☒ abide by the following restrictions: Continental U.S. ☒ EDLA _____ LA _____

Other _____

_____ avoid all contact with victim/witness _____ co-defendants _____

Other _____

_____ medical or psychiatric treatment if directed by Pretrial Services

_____ not possess firearm, destructive device or other weapon

_____ not use alcohol: at all _____ excessively _____

_____ not use or unlawfully possess narcotic drug/controlled substances

_____ submit to testing for a prohibited substance if required by Pretrial Services

_____ participate in inpatient/outpatient substance abuse therapy/counseling if directed by
Pretrial Services

_____ participate in location restriction program: _____ (i) Curfew

_____ (ii) Home Detention

_____ (iii) Home Incarceration

_____ submit to location monitoring as directed by Pretrial Services

☒ report every contact with law enforcement personnel to Pretrial Services

☒ Other(s): Financial restriction - defendant shall
not apply for any new credit of any kind

Employment restriction - defendant shall not obtain
any employment where she has access to the
financial information of others e.g. - money manager or
financial advisor either directly or indirectly. no
personnel information of anyone including social security,
data back accounts or date of birth.

[Signature]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

CR.NO. 16-144 MAG

VERSUS

ORDER

X Appointing Counsel

Substituting Counsel For:

PEGGY ANN FULFORD

 Ratifying Prior Service

 Extending Appointment For Appeal

CHARGE: WIRE FRAUD

X FELONY MISDEMEANOR

X The defendant, having satisfied this Court that he/she: (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender named below is hereby appointed to represent this defendant in the above designated case until relieved by order of the District Court:

**CLAUDE KELLY, FEDERAL PUBLIC DEFENDER, HALE BOGGS FEDERAL BLDG.,
RM 318, 500 CAMP ST, NEW ORLEANS, LA 70130 PHONE: (504)589-7930**

 Federal Public Defender is appointed for the limited purpose of:

 It appearing to the Court that although the defendant is financially unable to employ counsel, he/she is totally indigent.

 IT IS FURTHER ORDERED that the defendant pay to the Clerk, U. S. District Court for services of counsel, the total amount of \$ to be paid within 10 working days or by .

 IT IS FURTHER ORDERED that the defendant is to pay to the Clerk, U.S. District Court, for services of counsel, \$ per month. This amount is to be paid, beginning on , 20 , until further orders of the Court.

Dated at New Orleans, Louisiana, on DECEMBER 16, 2016


UNITED STATES MAGISTRATE JUDGE

Copy to Financial Unit Clerk (*Only if defendant is ordered to pay*)

UNITED STATES DISTRICT COURT

for the

EASTERN District of LOUISIANA

United States of America)

v.)

PEGGY ANN FULFORD)

Case No. 16-144 MAG)

Defendant)

APPEARANCE BOND

Defendant's Agreement

I, PEGGY ANN FULFORD (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- (X) to appear for court proceedings;
 (X) if convicted, to surrender to serve a sentence that the court may impose; or
 (X) to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- () (1) This is a personal recognizance bond.
 (X) (2) This is an unsecured bond of \$ 25,000.00.
 () (3) This is a secured bond of \$ _____, secured by:

- () (a) \$ _____, in cash deposited with the court.
 () (b) the agreement of the defendant and each surety to forfeit the following cash or other property
(describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value):

 If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- () (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):
☐ Personal Surety ☐ Commercial Surety

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

DEFENDANT: PEGGY ANN FULFORD

CASE NO.: 16-144 MAG

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date:

12/14/16



Defendant's signature

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

Surety/property owner – printed name

Surety/property owner – signature and date

JUDICIAL OFFICER/CLERK OF COURT

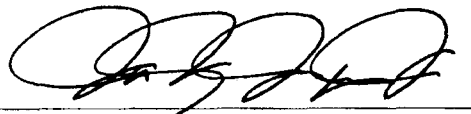
Date:

Signature of Judicial Officer/Clerk or Deputy Clerk

Approved.

Date:

Dec. 14, 2016



Magistrate Judge/Judge's signature

UNITED STATES DISTRICT COURT
for the
Eastern District of Louisiana

United States of America
v.
PEGGY ANN FULFORD

Defendant

Case No. **16-144 MAG**

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: NEW ORLEANS, LOUISIANA
Place

on WHEN ORDERED
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

- () (7) The defendant must:

- () (a) submit to supervision by and report for supervision to the telephone number _____, no later than _____ U.S. Probation Officer (USPO)
- () (b) continue or actively seek employment.
- () (c) continue or start an education program.
- () (d) surrender any passport to: USPO
- () (e) not obtain a passport or other international travel document.
- () (f) abide by the following restrictions on personal association, residence, or travel: Continental U.S.

- () (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: _____

- () (h) get medical or psychiatric treatment: _____

- () (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

- () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- () (k) not possess a firearm, destructive device, or other weapon.

- () (l) not use alcohol () at all () excessively.

- () (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- () (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- () (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- () (p) participate in one of the following location restriction programs and comply with its requirements as directed.

- () (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

- () (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

- () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

- () (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

- () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- () (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

- () (s) Financial restriction - defendant shall not apply for any new credit of any kind

- () (t) Employment restriction - defendant shall not obtain any employment where she has access to the financial information of others E.G. money managers, financial advisor either directly or indirectly, nor personal ID information of anyone including social security info, bank accounts or date of births.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, or informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

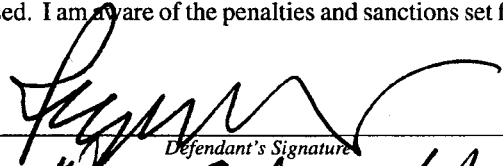

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

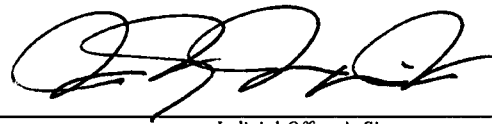
I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


 Defendant's Signature

 City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
 () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: Dec. 14, 2016


 Judicial Officer's Signature
~~U.S. DISTRICT JUDGE~~ U.S. MAGISTRATE JUDGE
 Judicial Officer's Title

AO 466A (Rev. 07/16) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the
Eastern District of Louisiana

United States of America

v.

PEGGY ANN FULFORD

Defendant

Case No. 16-144 MAG

Charging District's Case No. 16-551

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)I understand that I have been charged in another district, the *(name of other court)* _____

SOUTHERN DISTRICT OF TEXAS (HOUSTON DIVISION)

I have been informed of the charges and of my rights to:

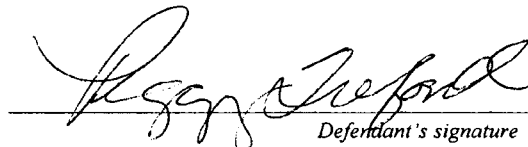
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

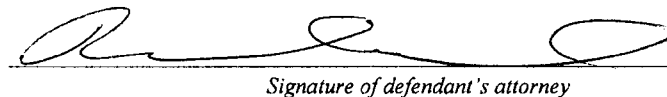
I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

12/16/16


Defendant's signature


Signature of defendant's attorney

Michael Admirand

Printed name of defendant's attorney


12/16/16

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT

for the

Eastern District of Louisiana

United States of America)

v.)

PEGGY ANN FULFORD)

Defendant)

Case No. 16-144 MAG

Charging District: Southern District of Texas

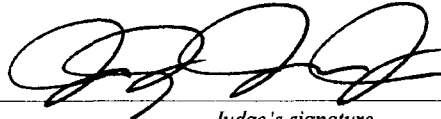
Charging District's Case No. 16-551

ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: <i>United States District Court Southern District of Texas 515 Rush 7th Floor Houston, TX 77002</i>	Courtroom No.: <i>703 - 7th Floor</i> Date and Time: <i>December 23, 2016 @ 10:00 AM.</i>
------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: *December 14, 2016*


Judge's signature

JOS. C. WILKINSON, JR.

Printed name and title

U.S. MAGISTRATE JUDGE